



January 14, 2005

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## SENATE BILL No. 224

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DIGEST OF SB 224 (Updated January 12, 2005 10:50 am - DI 104)

**Citations Affected:** IC 16-18; IC 16-27.

**Synopsis:** Home health care services and hospice services council. Prevents a member of the home health care services and hospice services council from: (1) having an ownership interest in; or (2) serving as a voting member on the governing body of; a home health agency or a hospice. Removes the prohibition against a member having: (1) a pecuniary interest in; or (2) providing services through employment or under contract for; a home health agency or a hospice.

**Effective:** July 1, 2005.

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**Miller**

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January 4, 2005, read first time and referred to Committee on Health and Provider Services.

January 13, 2005, reported favorably — Do Pass.

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SB 224—LS 6786/DI 104+



January 14, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## SENATE BILL No. 224

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-18-2-150 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 150. (a) "Governing  
3 body", for purposes of IC 16-22-7, has the meaning set forth in  
4 IC 16-22-7-2.

5 **(b) "Governing body", for purposes of IC 16-27-0.5, has the**  
6 **meaning set forth in IC 16-27-0.5-0.5.**

7 ~~(b)~~ (c) "Governing body", for purposes of IC 16-41-22, has the  
8 meaning set forth in IC 16-41-22-3.

9 SECTION 2. IC 16-27-0.5-0.5 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2005]: **Sec. 0.5. As used in this chapter,**  
12 **"governing body" means the board of trustees, governing board,**  
13 **board of directors, or other body responsible for governing a home**  
14 **health agency or a hospice.**

15 SECTION 3. IC 16-27-0.5-1 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The home health  
17 care services and hospice services council is established.

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(b) The council consists of sixteen (16) members as follows:

(1) One (1) licensed physician experienced in home health care.

(2) One (1) licensed physician with certification in hospice and palliative medicine.

(3) Four (4) individuals as follows:

(A) One (1) individual engaged in the administration of a nonhospital based home health agency.

(B) One (1) individual engaged in the administration of a hospital based home health agency.

(C) One (1) individual engaged in the administration of:

(i) a nonhospital based hospice; or

(ii) a hospice licensed under IC 16-25-3 that provides in-patient care.

(D) One (1) individual engaged in the administration of a hospital based hospice.

(4) One (1) registered nurse who is licensed under IC 25-23 and experienced in home health care.

(5) One (1) registered nurse who is licensed under IC 25-23 with certification in hospice and palliative medicine.

(6) One (1):

(A) physical therapist licensed under IC 25-27;

(B) occupational therapist certified under IC 25-23.5; or

(C) speech-language pathologist licensed under IC 25-35.6;

experienced in home health care.

(7) One (1) citizen having knowledge of or experience in hospice care.

(8) One (1) citizen having knowledge of or experience in home health agency care.

(9) One (1) registered pharmacist who is licensed under IC 25-26 with experience in hospice and palliative medicine.

(10) One (1) respiratory care practitioner who is licensed under IC 25-34.5 and experienced in home care.

(11) One (1) individual who is a bereavement counselor with experience in hospice care.

(12) The commissioner or the commissioner's designee.

(13) The secretary of family and social services or the secretary's designee.

(c) The governor shall appoint the members of the council designated by subsection (b)(1) through (b)(11).

(d) Except for the members of the council designated by subsection (b)(12) through (b)(13), all appointments are for four (4) years. If a vacancy occurs, the appointee serves for the remainder of the

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1 unexpired term. A vacancy shall be filled from the same group that was  
2 represented by the outgoing member.  
3 (e) Except for the members of the council designated by subsection  
4 (b)(3), a member of the council may not:  
5 (1) have ~~a pecuniary~~ **an ownership** interest in the operation of; or  
6 ~~provide professional services through employment or under~~  
7 ~~contract to~~  
8 (2) **serve as a voting member on the governing body of;**  
9 a home health agency licensed under this article or a hospice licensed  
10 under IC 16-25.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 224, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 224 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

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